

## **BILL ANALYSIS**

Senate Research Center  
81R21563 BEF-F

H.B. 1973  
By: Hamilton (Patrick)  
Administration  
5/20/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current Texas law prohibits persons without a license from performing electrical related services. In 2008, the Texas Department of Licensing and Regulation notified pool industry representatives that pool-related electrical maintenance work in Texas must be addressed in legislation.

H.B. 1973 amends current law relating to the licensing and regulation of pool-related electrical maintenance.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 4 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1305.002, Occupations Code, by amending Subdivisions (12-a)-(12-e) and adding Subdivisions (14)-(16), to redefine "residential appliance," "residential appliance installation," "residential appliance installation contracting," "residential appliance installation contractor," and "residential appliance installer" and to define "pool," "pool-related electrical device," and "pool-related electrical maintenance."

SECTION 2. Reenacts Section 1305.003(a), Occupations Code, as amended by Chapters 418 (S.B. 1222) and 649 (H.B. 1029), Acts of the 80th Legislature, Regular Session, 2007, and amends it to provide that this chapter does not apply to the maintenance, alteration, or repair of a pool-related electrical device by, or pool-related electrical maintenance performed by, an employee of a municipality on a pool owned or operated by the municipality. Makes nonsubstantive changes.

SECTION 3. Amends Section 1305.162, Occupations Code, by adding Subsection (d), to require the Texas Department of Licensing and Regulation (TDLR), in addition to the other requirements of this section, to accept, develop, or contract for a residential appliance installer examination that tests an applicant's knowledge of the materials and methods used in the installation of residential appliances and pool-related devices under this chapter and the National Electrical Code standards as adopted by the executive director of TDLR.

SECTION 4. Requires the Texas Commission of Licensing and Regulation, not later than January 1, 2010, to adopt any rules necessary to implement the changes in law made by this Act.

SECTION 5. Provides that Section 1305.151 (License Required), Occupations Code, applies only to a person who performs pool-related electrical maintenance, as defined by Section 1305.002, Occupations Code, as amended by this Act, or residential appliance installation that consists only of the connection or disconnection of a pool-related electrical device, as defined by Section 1305.002, Occupations Code, as amended by this Act, on or after March 1, 2010.

SECTION 6. (a) Effective date, except as provided by Subsection (b) of this section: September 1, 2009.

(b) Effective date, Section 1 of this Act: March 1, 2010.